

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RUBEN DE LA PENA,

Defendant.

3:10-cr-00142-RCJ-VPC-1

**ORDER**


The Court sentenced Defendant to 120 months imprisonment, to be followed by five years of supervised release. Defendant asked the Court to reduce his sentence under 18 U.S.C. § 3582(c)(2) and Amendment 782 to U.S.S.G. § 1B1.10. The Court denied the motion because Defendant had been sentenced to the statutory minimum such that no retroactive amendment to the guideline range could aid him. *See, e.g., United States v. Sykes*, 658 F.3d 1140, 1146 (9th Cir. 2011). Defendant has filed a successive motion for a reduction.

**CONCLUSION**

IT IS HEREBY ORDERED that the Motion to Reduce Sentence (ECF No. 85) is DENIED.

IT IS SO ORDERED.

Dated this 30th day of April, 2015.

  
ROBERT C. JONES  
United States District Judge